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ATTORNEYS FOR TRUSTEE

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>IN RE:</b>	§	
	§	
<b>WESTERN NATURAL GAS, LLC,</b>	§	<b>CASE NO: 01-36710-SAF-7</b>
	§	
<b>DEBTOR.</b>	§	

**TRUSTEE'S APPLICATION FOR AUTHORITY TO EMPLOY PROFESSIONALS**

TO THE HONORABLE STEVEN A. FELSENTHAL, U.S. BANKRUPTCY JUDGE:

COMES NOW Scott M. Seidel, Trustee herein, and submits this his Application for Authority to Employ Professionals ("Application") and, in support thereof, respectfully represents as follows:

1. On August 13, 2001, Debtor Western Natural Gas, LLC, filed with this Court its Voluntary Petition under Chapter 7 of the Bankruptcy Code and Scott M. Seidel was appointed Chapter 7 Trustee ("Trustee") in this case and continues to act in such capacity.
2. The Trustee desires to employ Jack Lafield ("Lafield"), effective as of October 21, 2004, to perform professional services for the Trustee in this case and any related adversary proceedings.
3. The services that Lafield is to render to the Trustee include assisting the Trustee with

the prosecution of any estate claims or causes of action that may exist for, among other things, preferential transfers, fraudulent transfers, negligence, breach of fiduciary duty, fraud, fraud in the inducement, and damages incurred by this Chapter 7 estate, including acting as a consulting and/or testifying expert witness in any adversary proceedings.

4. To the best of the Trustee's knowledge, Lafield represents no interests adverse to this estate, any other entity in connection with this case, and is a "disinterested person" within the meaning of 11 U. S. C. §101 (14). *See Affidavit of Jack Lafield, attached as Exhibit "A" and incorporated herein by reference.*

5. The Trustee proposes to pay Lafield reasonable fees and expenses upon submission and Court approval of fee applications supported by statements to the Court, the United States Trustee, and any parties-in-interest in this case, setting forth in reasonable detail the description of services rendered, the time spent and by whom, and detail of expenses incurred. Such fee applications may be submitted with such frequency as may be allowed pursuant to the Bankruptcy Code. The hourly rate charged by Mr. Lafield is \$250.00 per hour.

**WHEREFORE, PREMISES CONSIDERED**, Trustee prays that this Honorable Court authorize the employment of Jack Lafield as requested herein, and for such other and further relief as to which the Trustee may prove himself justly entitled.

Respectfully submitted,  
PASSMAN & JONES, P.C.

By: James F. Adams  
James F. Adams  
State Bar No. 00863450  
K. D. Shull  
State Bar No. 24033067

1201 Elm Street, Suite 2500  
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ATTORNEYS FOR TRUSTEE

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing has been provided via postage-paid, first-class U.S. Mail to the parties set forth on the attached service list on this the 21st day of October, 2004:

James F. Adams  
James F. Adams

CERTIFICATE OF SERVICE

Adams County School District No. 12  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Adams County School District No. 1  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Adams State College  
208 Edgemont Boulevard  
Alamosa, Colorado 81102

Albany County SD#1  
Bus. Sec - POI:9990172  
1948 Grand Avenue  
Laramie, Wyoming 82070

AMC Cancer Research Center  
1600 Pierce Street  
Denver, Colorado 80214

ANG Holding, LLC  
c/o Patrick J. Neligan, Jr.  
Neligan, Tarpley  
1700 Pacific, Suite 2600  
Dallas, Texas 75201

Arapahoe County School  
District No. 1  
4101 South Bannock  
Englewood, Colorado 80110

Arizona Department of Revenue  
c/o Tracey Hinson  
Bankruptcy/Litigation, 7<sup>th</sup> Floor  
1600 West Monroe  
Phoenix, Arizona 85007

Aurora Public Schools  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Lisa Perry Banen  
1275 W. Washington Street  
Phoenix, Arizona 85007-1298

Bayerische Hypo-und Vereinsbank  
Bergman, Stein & Bird, L.L.P.  
4514 Travis Street, Suite 300  
Dallas, Texas 75205

Jack R. Bird  
Bergman, Stein & Bird  
4514 Travis Street, Suite 300  
Dallas, Texas 75205

Bonneville Fuels Corporation  
c/o Michael S. Held  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202

Boulder Valley School District RE-2  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Cherry Creek School District No. 5  
c/o Richard Collier  
4700 S. Yosemite  
Greenwood Village, Colorado 80111

Robert D. Clark  
Assistant Attorney General  
Business & Licensing Section  
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Kane, Russell, Coleman & Logan  
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c/o Robert D. Clark, Asst. Attorney General  
Business and Licensing Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, Colorado 80203

Colorado Department of Human Resources  
c/o Robert D. Clark, Asst. Attorney General  
Business and Licensing Section  
1525 Sherman Street, 5<sup>th</sup> Floor  
Denver, Colorado 80203

Colorado Interstate Gas Company  
c/o Charles Long  
Stumpf, Craddock, Massey & Farrimond,  
P.C.  
1400 Post Oak Blvd., Suite 400  
Houston, Texas 77056.

Colorado Public Service  
c/o Joseph M. Coleman  
Kane Russell Coleman & Logan, PC  
1601 Elm Street, Suite 3700  
Dallas, Texas 75201

Colorado State University  
c/o Robert D. Clark, Asst. Attorney General  
Business and Licensing Section  
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Denver, Colorado 80203

Columbine Management Service, Wexford  
947 Worthington Circle  
Fort Collins, Colorado 80526

Credo Petroleum Corporation  
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Denver, Colorado 80202

Earl Crow  
600 N. Pearl, Suite 860  
Dallas, Texas 75201

Pam Cushing  
5977 W. 68<sup>th</sup> Avenue  
Arvada, Colorado 80003

Denver City and County Treasury  
c/o Leola Harris, Bankruptcy Analyst  
144 Wet Colax Avenue, Room 384  
Denver, Colorado 80202-5391

Leanne B. DeVos  
Sherman & Howard  
633 Seventeenth Street, Suite 3000  
Denver, Colorado 80202

Doubletree Laposada Resort  
4949 E. Lincoln Drive  
Paradise Valley, Arkansas 85253

Douglas County School District RE-1  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Dufford & Brown, P.C.  
1700 Broadway, Suite 1700  
Denver, Colorado 80290

East West Resorts LLC  
c/o Kimberly H. Tyson  
Sherman & Howard, LLC  
633 17<sup>th</sup> Street, Suite 3000  
Denver, Colorado 80202

Excel Corporation  
c/o Kimberly H. Tyson  
633 17<sup>th</sup> Street, Suite 3000  
Denver, Colorado 80202

Golden Prairie Production, LLC  
c/o Patrick J. Neligan, Jr.  
Neligan, Tarpley  
1700 Pacific, Suite 2600  
Dallas, Texas 75201

GPR Holdings, Inc.  
c/o Patrick J. Neligan, Jr.  
Neligan, Tarpley  
1700 Pacific, Suite 2600  
Dallas, Texas 75201

Great Western Tortilla Co.  
1761 E. 58<sup>th</sup> Avenue  
Denver, Colorado 80216

Greeley Gas Company  
Jeff Perryman, Legal Assistant  
Atmos Energy Corp.  
Post Office Box 15488  
Amarillo, Texas 79105-5488

Timothy W. Hasler  
Hasler, Fonfara & Maxwell, LLP  
125 S. Howes Street, 6<sup>th</sup> Floor  
Fort Collins, Colorado 80521

Michael S. Held  
Jenkins & Gilchrist  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202-2799

Hospital Cooperative Laundry, Inc.  
6225 East 38<sup>th</sup> Avenue  
Denver, Colorado 80207

Imi Norgren, Inc.  
5400 South Delaware Street  
Littleton, Colorado 80120-1663

Independent Production Company, Inc.  
410 17<sup>th</sup> Street, Suite 570  
Denver, Colorado 80202

Inland Paperboard & Packaging  
ATTN: Legal Department  
4030 Vincennes Road  
Indianapolis, Indiana 46268

Ivinson Memorial Hospital  
c/o Lance Mendiola  
255 North 30<sup>th</sup> Street  
Laramie, Wyoming 82072-5195

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Assistant City Attorney  
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Laff, Stein, Campbell, Tucker & Delaney  
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Greenwood Village, Colorado 80111-2616

Leprino Foods Company  
J. Bradley Olsen  
1830 W 38<sup>th</sup> Avenue  
Denver, Colorado 80211

Lewis-Palmer School District #38  
c/o Joseph Subialka, Executive Director  
Post Office Box 40  
146 Jefferson Street  
Monument, Colorado 80132-0040

Liftside Condominium Association  
c/o Tim Albrecht  
12234 Westhaven Drive  
Vail, Colorado 81657

Longmont City  
1100 South Shorman Street  
Longmont, Colorado 80521

Loveland Good Samaritan Retirement Villa  
c/o Administrator  
1201 S. Garfield Avenue  
Loveland, Colorado 80537

McKinnon & Associates, Inc.  
10000 N. Central Expressway, Suite 1540  
Dallas, Texas 75231-4161

Nelco Technology, Inc.  
c/o Neltec, Inc.  
1420 West 12<sup>th</sup> Place  
Tempe, Arizona 85281

Patrick J. Neligan, Jr.  
Neligan, Tarpley, Stricklin  
1700 Pacific Avenue, Suite 2600  
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1444 W. 12<sup>th</sup> Place  
Tempe, Arizona 85281

New Data Strategies  
16415 Addison Road, Suite 500  
Addison, Texas 75001

New Mexico State  
Taxation and Revenue Department  
Post Office Box 22690  
Santa Fe, New Mexico 87502-2690

Robert Newhouse  
c/o Larry A. Levick  
Gerard Singer & Levick, P.C.  
16200 Addison Road, Suite 140  
Addison, Texas 75001

NMHHSA  
Attn: Bill Matheny  
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Albuquerque, New Mexico 87113

Northeastern Junior College  
Robert D. Clark, Asst. Attorney General  
Business and Licensing Section  
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Denver, Colorado 80203

Ohio Casualty Insurance Company  
c/o Curtis R. Brookbank  
Fidelity & Surety Claim Department  
136 North Third Street  
Hamilton, Ohio 45205

Oklahoma Tax Commission  
c/o Ohio Casualty Group, Fidelity  
Attn: Curtis R. Brookbank  
136 N. Third Street  
Hamilton, Ohio 45205

Eva Grace Phillips  
Route 2, Box 14  
Holly, Colorado 81047

Poudre School District R-1  
c/o Stuart W. Reeve  
2407 Laporte Avenue  
Fort Collins, Colorado 80521

Roche Colorado Corporation  
c/o Kristi Blumhardt  
1200 17<sup>th</sup> Street, Suite 2400  
Denver, Colorado 80202

Scheef & Stone, LLP  
5956 Sherry Lane, Suite 1400  
Dallas, Texas 75225

Scotts Liquid Gold  
4880 Havana Street  
Denver, Colorado 80239

St. Vrain Valley School District RE-IJ  
395 South Pratt Parkway  
Longmont, Colorado 80501

Summit County School  
150 Summit County Road #0130  
Post Office Box 7  
Frisco, Colorado 80443

Tex Tech Industries  
2207 S. 48<sup>th</sup> Street, Suite E  
Tempe, Arizona 85282-1007

Thompson School District R2-J  
c/o Caplan and Earnest LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Kimberley H. Tyson  
Sherman & Howard  
633 Seventeenth Street, Suite 3000  
Denver, Colorado 80202

Vail Cascade Resort  
c/o Dan Whipple, Director of Finance  
1300 Westhaven Drive  
Vail, Colorado 81657

Vail Town  
Sales Tax Division  
75 S. Frontage Road  
Vail, Colorado 81657

United States Trustee's Office  
1100 Commerce Street, Suite 9C60  
Dallas, Texas 75242

Weld County School District RE-4  
c/o Caplan and Earnest, LLC  
2595 Canyon Boulevard, Suite 400  
Boulder, Colorado 80302-6737

Natural Soda Ash, LLC  
c/o Ameralia, Inc.  
c/o Bill H. Gunn  
20971 East Smokey Hill Road  
Centennial, CO 80015

Wilderness Property Management  
c/o Morton L. Herman  
306 W. 7<sup>th</sup> Street, Suite 200  
Fort Worth, Texas 76102

Winter Park Recreation Association  
c/o Gary McGraw  
Post Office Box 36  
Winter Park, Colorado 80482

Wyoming State  
Department of Revenue  
122 W. 25<sup>th</sup> Street  
Cheyenne, Wyoming 82002

YMCA of the Rockies  
Executive Offices  
2515 Tunnel Road  
Estes Park, Colorado 80511



**“EXHIBIT A”**

AFFIDAVIT OF JACK LAFIELD  
IN SUPPORT OF TRUSTEE’S APPLICATION  
FOR AUTHORITY TO EMPLOY PROFESSIONALS

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

I, Jack Lafield, state under oath that the following is within my personal knowledge and true and correct:

1. “I am over twenty-one (21) years of age.
2. “My office is located at 2501 Cedar Springs Road, Suite 600, Dallas, Texas 75201.
3. “This Affidavit is filed in connection with the Trustee’s Application to Employ Professionals in the bankruptcy case styled *In Re: Western Natural Gas, L.L.C.*, Case No: 01-36710-SAF-7. My role is to assist in the Trustee as a consultant and/or testifying expert witness.
4. “Based on a review of information available as of October 21, 2004, I represent no interest adverse to the estate, the Trustee or the Debtor in the matters upon which I am to be engaged. I do not represent any creditor or other party holding an interest adverse to that of the above estate.
5. “I have advised the Trustee of my willingness to accept employment as the Trustee’s evaluator, consultant and expert witness. Further, I have advised the Trustee that I will bill on an hourly basis at the standard hourly rates for services rendered and expenses and costs incurred. I expressly reserve the right to seek interim compensation during the pendency of the bankruptcy upon application and order of the Court and further expressly reserve the right to seek full and final compensation upon application and order of the Court. No retainer has been given to be with regard to services to be rendered on behalf of the Trustee in this case.
6. “I am a disinterested person as defined by 11 U.S.C. 101(13).”

**FURTHER AFFIANT SAYETH NOT.**

/s/ Jack Lafield  
Jack Lafield

SUBSCRIBED AND SWORN TO before me this the 21st day of October, 2004, to certify which, witness my hand and seal of office.

[Notary Seal]  
My commission expires 7-21-2007

/s/ K.D. Shull  
Notary Public in and for the State of Texas